

03-12-01

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0092

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TO/60/30
U.S. PTO
JC984JC973 U.S. PTO
09/09/03/09/01**UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 04676P009X
(maximum 12 characters)First Named Inventor Matthew J. HershensonTitle: SYSTEM, APPARATUS AND METHOD FOR PRESERVING DATAExpress Mail Label No. EL143567811USADDRESS TO: **Assistant Commissioner for Patents**
Box Patent Application
Washington, D. C. 20231**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original, and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. **Specification (Total Pages 40)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. **Drawings(s) (35 USC 113) (Total Sheets 10)**
5. **Oath or Declaration (Total Pages)**
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. **Assignment Papers (cover sheet & documents(s))**
10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
 b. Power of Attorney
11. English Translation Document (if applicable)
12. a. Information Disclosure Statement (IDS)/PTO-1449
 b. Copies of IDS Citations
13. **Preliminary Amendment**
14. **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. Other: Certificate of Express Mail and copy of postcard showing contents of Express Mail package.

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: 09/545,701 Examiner Unknown Group Art Unit Unknown
(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

Customer Number or Bar Code Label _____
 or _____ (Insert Customer No. or Attach Bar Code Label here)

Correspondence Address Below

NAME Thomas C. Webster

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Name (PRINT/TYPE): Thomas C. Webster Registration No.: 46,154

Signature: Thomas Webster Date: 3/9/01

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	390	216	195
117	890	217	445
118	1,390	218	695
128	1,890	228	945
119	310	219	155
120	310	220	155
121	270	221	135
138	1,510	138	1,510
140	110	240	55
141	1,240	241	620
142	1,240	242	620
143	440	243	220
144	600	244	300
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
146	710	246	355
149	710	249	355
179	710	279	355
169	900	169	900
195	300	195	300
196	300	196	300
194	130	194	130
098	130	098	130
091	1,240	091	1,240
Other fee (specify) _____			
Other fee (specify) _____			
SUBTOTAL (3) \$ 0			

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Thomas C. Webster

Signature: Thomas Webster Date: 3/9/01

Reg. Number: 46,154 Telephone Number: (408) 720-8300

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**PRELIMINARY AMENDMENT FOR CONTINUING APPLICATION
(CONTINUATION, DIVISIONAL, OR CONTINUATION-IN-PART)**

First Named Inventor Matthew J. Hershenson

Title SYSTEM, APPARATUS AND METHOD FOR PRESERVING DATA

Attorney Docket No. 04676P009X

Parent Application:

First Named Inventor Andrew E. Rubin

Title Network Portal Apparatus and Method

Application No. 09/545,701 Examiner: Unknown

Filing Date 04/07/00 Group Art Unit: Unknown

Applicant(s): If the present patent application is a Continuation, Divisional, or Continuation-In-Part application under 37 CFR § 53(b) of a parent application, then submit this Preliminary Amendment to the PTO. Please insert the appropriate claim for priority, listing the entire chain of priority.

To: Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Please enter the following preliminary amendment for the present patent application.

IN THE SPECIFICATION:

At page 1, line , please insert the following:

-- The present patent application is a

 Continuation Divisional Continuation-in-part (CIP)

of prior application no. 09/545,701, filed April 7, 2000, entitled NETWORK PORTAL

APPARATUS AND METHOD

which is a continuation/ divisional/ CIP of prior application no. ,

which is a continuation/ divisional/ CIP of prior application no. .

3/9/01

Date

Thomas Webster

Signature

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Thomas C. Webster

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Registration No.

JC973 U.S. PTO
09/09/01
09/09/01
09/09/01

"Express Mail" mailing label number: EL143567811US
Date of Deposit: March 9, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Leah Resendez

(Typed or printed name of person mailing paper or fee)

Leah Resendez
(Signature of person mailing paper or fee)

03-09-01

(Date signed)

Serial/Patent No.: *** Filing/Issue Date: ***
Client: Danger Research
Title: System, Apparatus and Method for Preserving Data

BSTZ File No.: 04676P009X

Date Mailed: March 9, 2001

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment/Response (____ pgs)	Atty/Secty Initials: <u>TCW/ja/lr</u>
<input type="checkbox"/> Appeal Brief (____ pgs) (in triplicate)	Docket Due Date: <u>***</u>
<input type="checkbox"/> Application - Utility (____ pgs, with cover and abstract)	
<input type="checkbox"/> Application - Rule 153(b) Continuation (____ pgs)	
<input type="checkbox"/> Application - Rule 153(b) Divisional (____ pgs)	
<input checked="" type="checkbox"/> Application - Rule 153(b) CIP (<u>40</u> pgs)	
<input type="checkbox"/> Application - Rule 153(d) CPA Transmittal (____ pgs)	
<input type="checkbox"/> Application - Design (____ pgs)	
<input type="checkbox"/> Application - PCT (____ pgs)	
<input type="checkbox"/> Application - Provisional (____ pgs)	
<input type="checkbox"/> Assignment and Cover Sheet	
<input checked="" type="checkbox"/> Certificate of Mailing	
<input type="checkbox"/> Declaration & POA (____ pgs)	
<input type="checkbox"/> Disclosure Docs & Org & Copy of Inventor's Signed Letter (____ pgs)	
<input checked="" type="checkbox"/> Drawings <u>10</u> # of sheets includes <u>10</u> figures	
<input type="checkbox"/> Other <u>Certificate of Express Mail with copy of postcard showing contents of Express Mail package.</u>	

Express Mail No: EL143567811US Check No: 41392
 _____ Month(s) Extension of Time Amt 808.00
 Information Disclosure Statement & PTO-144 (____ pgs) Check No _____
 Issue Fee Transmittal Amt _____
 Notice of Appeal Petition for Extension of Time
 Petition for _____
 Postcard Power of Attorney (____ pgs)
 Preliminary Amendment (____ pgs)
 Reply Brief (____ pgs)
 Response to Notice of Missing Parts
 Small Entity Declaration for Indep Inventor/Small Business
 Transmittal Letter, in duplicate
 Fee Transmittal, in duplicate